

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application Ser. No.: 09/335,608

Group Art Unit: 2663

Filing Date: 06/18/1999

Examiner: NHAT Q DO

Attorney Docket Number PHB 34 257

Inventor Name(s): MOULSLEY

Title: TELECOMMUNICATIONS SYSTEM WITH CHANNEL SHARING

Honorable Commissioner of Patents And Trademarks
Washington DC 20231

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OFFICIAL

PETITION TO REISSUE OFFICE ACTION

Sir:

On May 5, 2003, Applicant sent two amendments to the PTO via facsimile. The first amendment was initiated at 9:12 a.m. and was entered by the PTO. The second amendment, a supplemental amendment, was initiated at 11:19 a.m. The supplemental amendment added claims 12-20.

The office action of July 15 only considers claims 1, 4-7, and 9-11. It does not consider claims 12-20. Since the supplemental amendment was filed on the same day as the main amendment, Applicant respectfully submits that the Examiner should have considered it and should have responded to it.

The undersigned spoke to the Examiner today. He said that the supplemental amendment has not been entered into the file. He also said that the supplemental amendment should be re-submitted and he would re-issue the office action.

Accordingly, the following are re-submitted herewith:

- The supplemental amendment;

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- A sheet produced by the transmitting computer confirming transmission;
- An auto-reply received from the PTO confirming receipt.

Applicant accordingly respectfully requests that the supplemental amendment be entered and considered and that the office action be re-issued.

Applicant respectfully submits that no fee should be due as a result of this petition, because the necessity for the petition arose through an error of the PTO.

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| <u>CERTIFICATE OF MAILING</u> | |
| I hereby certify that this correspondence is being deposited this date with the United States Postal Service as first class mail in an envelope addressed to | |
| Commissioner of Patents and Trademarks Washington, D.C. 20231 | |
| On _____ | (date) |
| By _____ | (signature) |

Respectfully submitted,

By *A E Barschall*
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September 15, 2003